



NORTH CAROLINA STATE BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS

NEWSLETTER

DECEMBER 2005

EDITION #49

MESSAGE FROM THE CHAIRMAN

“THE FIRST 30 YEARS” OR “THE NATHANIEL ELLIS CANNADY, SR. ERA”

Sometimes a look back into history is helpful in better understanding the present and in planning for the future. So it is as we look back into the history of our state’s electrical contracting licensing laws.

Over the past 68 years, there have been many important events relating to our licensing laws and to the Board’s rules and regulations for administering these laws, all of which can be summed up in three major eras covering the span of years commencing with the enactment of the N. C. Electrical Contracting Licensing Act and continuing to the present.

The first major era we will define as “The first 30 years” or “The Immortal Nathaniel Ellis Cannady Sr.” Era, extending from the enactment and ratification of Chapter 87-Article 4 of the N.C. General Statutes (our licensing laws) in 1937 until Mr. Cannady’s death in 1967. Events and grounds for Mr. Cannady’s historic vision and determination to persuade the N.C. legislators to recognize the need for regulating the electrical contracting industry for the purpose of protecting the citizens of North Carolina from the hazards of improperly installed wiring systems were well founded.

Mr. Cannady’s duties as the State’s Chief Electrical Inspector and Engineer and as the State Fire Marshal placed him in a position first hand to become well aware of the rampant unsafe electrical wiring installations being performed by unregulated, unscrupulous persons holding themselves out to the public as legitimate electrical contractors, particularly in the rural areas of our State. While most cities had a reasonably good electrical inspection program, most counties did not and without the over site of creditable inspections, the field was wide open for these incompetent, unscrupulous electricians claiming to be electrical contractors to prey upon a vulnerable public exposing the citizens affected to the most serious hazards of electricity. This situation became worse in the 1930s when there was rapid expansion of electrical service into rural areas by the public utilities and the Rural Electrification Authority (REAs), making the citizens of our state, who were anxious to have the benefit of electric service for the first time in their lives, more vulnerable to these unscrupulous, incompetent electricians holding themselves out to be legitimate electrical contractors.

Mr. Cannady, with his indelible concern for the safety of the general public, set out to do something about this rampant problem. His burning desire for the public’s safety led Mr. Cannady to pursue, and lay the groundwork for what his vision led him to feel sure, that the best answer to this raging problem would be the establishment of laws by the General Assembly regulating electrical contracting in North Carolina and for a statutory board to administer these laws.

In order to make his vision a reality, Mr. Cannady knew his final and foremost effort would be informing and convincing the State legislators, with whom he had become well acquainted over the years, of the need to regulate the electrical contracting industry in North Carolina for the purpose of protecting the general public and to instill integrity in the industry itself.

MESSAGE FROM THE CHAIRMAN (cont.)

With a favorable reception to Mr. Cannady's approach, some of the key legislators suggested Mr. Cannady put together a draft proposal for their consideration.

To accomplish this objective, Mr. Cannady solicited ideas from the best minds of persons representing the various facets of the electrical industry and from others of public interests to assist him in putting together his draft proposal to the legislature. His final draft included several important provisions some of which Mr. Cannady felt to be of the most importance. One of these provisions pertained to the make up of a statutory board charged with the direct responsibility for the administration of the licensing laws including establishing rules and regulations. The Board would consist of 5 members representing a broad spectrum of the electrical industry and the public's interest as a whole. One member to be a representative of the N.C. Department of Insurance, designated by the Commissioner of Insurance; one member to be a legitimate electrical contractor representing the N.C. Association of Electrical Contractors designated by the governing body of that association; one member to be a legitimate electrical contractor appointed by the Governor as a contractor member at large; one member engaged as a Chief Municipal or County Electrical Inspector, appointed by the Governor; and one member engaged in teaching or research in the electrical engineering department of the State's College/University System, appointed by the Governor.

There were no provisions proposed to limit terms of office for any of the appointees and designees, all board members to serve at the will of their respective appointers or designators.

Mr. Cannady felt that this board structure would preserve the integrity of the laws and the public interest as well as interests of the electrical contracting industry.

Mr. Cannady knew that these provisions must be included to enable any person, firm or corporation currently engaged in a legitimate electrical contracting business, upon the enactment of the laws, to be "grandfathered" in without having to qualify under the new law. Accordingly, provisions were included to recognize any person, firm or corporation holding a business privilege license issued by the NC Department of Revenue as being a legitimate electrical contractor thus eligible to apply for and obtain a license under the new law without further qualifications. Any person, firm, or corporation claiming to be engaged in the business of electrical contracting but not able to furnish proof to the Board that they possessed a current business privilege license from the NC Department of Revenue at the time the new law was enacted would not be eligible to obtain a license under the grandfather clause.

Mr. Cannady also recognized, and had personal knowledge, that the classification and types of wiring installations differed greatly from one area of the State to another particularly in urban developed areas and primarily rural areas.

Accordingly, he saw the need to establish two levels of license classifications: one being applicable state-wide and the other to apply to one county only. He proposed that these classifications be titled "Class I state-wide" and Class II One County only" and the Board would be charged with establishing the qualifying requirements for each of these classifications. Mr. Cannady also felt that the board would make a further distinction in the examination requirements for the Class II license depending on whether the applicant was from an urban county or a rural county.

Another important provision pertained to a proposed fee structure. To assure the legislators that there would be no profit motive contained in his draft, Mr. Cannady proposed a very minimal fee structure of \$25.00 for a Class I examination and \$5.00 for a Class II examination and that upon passing the examination the examinee's fee would be sufficient to obtain a license without a further fee. The annual license renewal fees would be structured the same as the \$25.00 and \$5.00 examination fees.

MESSAGE FROM THE CHAIRMAN (cont.)

Grandfathered licensees would be charged these same fees when obtaining their initial license under the new law. He also included a provision that if at the end of any fiscal year the Board ended the year with surplus funds in excess of 20% of the total amount of necessary expenditures for the immediate past fiscal year, the excess would be paid to the NC Engineering Foundation for the benefit of the State's electrical engineering schools.

Throughout his proposed draft, Mr. Cannady was careful to guard the public's interest and the interest of all others affected by the new law.

After much persuasion and convincing by Mr. Cannady, he was successful in pushing his proposal through the legislature and thus the North Carolina Electrical Contracting Licensing Act, Chapter 87 – Article 4 of the NC General Statutes became a reality, and Mr. Cannady became respectively known as the Father of North Carolina's Electrical Contracting Licensing Laws and is still so recognized as his legacy lives on.

The first members of the Board constituted under the new law were appointed or designated as follows: Mr. Nathaniel Ellis Cannady Sr., designated by the NC Commissioner of Insurance, representing the NC Department of Insurance; Mr. Churchill S. Boger, electrical contractor from Charlotte, representing the North Carolina Association of Electrical Contractors, designated by that association's governing board; Mr. M. B. Haynes, electrical contractor from Asheville, electrical contractor at large, appointed by the Governor; Mr. C. S. Whitaker, Chief Electrical Inspector for the City of Durham, Inspector member appointed by the Governor and Professor L. M. Keever, electrical engineering department at NC State College, appointed by the Governor.

Under the new law, the board members elected the Board's chairman and secretary-treasurer as well as a vice-chairman as the Board's statutory offices at the beginning of each fiscal year (July 1 – June 30). Mr. Cannady was elected as the Board's first chairman and Mr. Boger was elected as the Board's first secretary-treasurer. For the first 30 years of the law's existence, the succession of board membership was as follows:

- Mr. Cannady served continuously as the Insurance Commissioner's designee and was elected chairman for each year of this 30 year period until his untimely death in 1967.
- Mr. Boger served one year as the NCAEC's designee and he was succeeded by Mr. Frank E. Hart from Durham. Mr. Hart served from 1938 to 1945 and was succeeded by Mr. E. C. Peele from Burlington and he served from 1945 to 1960. Mr. Peele was succeeded by Mr. Howard Pancoast and he served from 1960 to 1978.
- In 1938, Mrs. Elizabeth Anderson was employed by the Board as the Board's Office Secretary and at this time she was elected by the Board to succeed Mr. Boger as Secretary-Treasurer and was re-elected to this office each year until her retirement in 1970.
- Mr. Haynes served as the Governor's electrical contractor appointee from 1937 to 1951. He was succeeded by Mr. W. W. Hanks, electrical contractor from Charlotte. Mr. Hanks served from 1951 to 1960 and was succeeded by Mr. Hector Ray, electrical contractor from Fayetteville. Mr. Ray served from 1960 to 1965 and was succeeded by Mr. Tommy Watson, electrical contractor from Wilson. Mr. Watson served for a short period after which time he was succeeded by Mr. Oscar Greene Jr., electrical contractor from Kinston. Mr. Greene served from 1965 to 1987.
- Mr. Whitaker served as the Governor's inspector appointee from 1937 to 1938. He was succeeded by Mr. D. S. Nichols, Chief Electrical Inspector for the City of Wilson. Mr. Nichols served from 1938 until 1943 at which time he was employed as the Board's first field representative, a position he held until his death. Mr. Nichols was succeeded as a board member by Mr. W. A. Darden, Chief Electrical Inspector for the City of Greenville and served from 1943 to 1959. Mr. Darden was succeeded by Mr. Charlie Gudger, Chief Electrical Inspector for the City of Asheville and he served from 1959 to 1965.

MESSAGE FROM THE CHAIRMAN (cont.)

Mr. Gudger was succeeded by Mr. John McClelland, Chief Electrical Inspector for the City of Charlotte and he served from 1965 to 1974.

- Professor Keever served as the Governor's faculty-research member from 1937 to 1947. He was succeeded by Professor R. S. Fouraker, NC State College Faculty and he served from 1947 to 1958. Professor Fouraker was succeeded by Professor M. R. Pearsall, member of the Faculty at NC State College and he served from 1958 to 1963. He was succeeded by Professor Wayland Seagraves, member of the faculty at NC State College and he served from 1963 to 1978.

Mr. Cannady's vision of having an electrical contracting licensing law administered by members of impeccable integrity, great knowledge and experience was fulfilled to his complete satisfaction through the services of all of his fellow board members. Many times Mr. Cannady publicly stated how much he appreciated and felt privileged, proud and honored serving with his fellow board members.

Among the many responsibilities the Board had in administering the new law was establishment of an appropriate qualifying examination program. The Board established a written examination system suitable for each of the two license classifications; set the passing grade at 75; and waiting periods for examinees who failed an examination before being eligible to take another examination. These waiting periods were 3 months for failing grades from 65-74; and 6 months for failing grades from 50 – 64; and one year for failing grades below 50. There were no minimum experience requirements but satisfactory evidence of good character and good recommendations from reliable sources were required.

Examinations were administered by Mr. Cannady and the Board's staff, especially Mrs. Anderson who had become proficient in the National Electrical Code requirements, and some members of Mr. Cannady's Department of Insurance staff.

Mr. Cannady, as Chairman of the Board, had the responsibility for the every day functions of the Board. To do this, he maintained an office in the Board's office as well as in the Department of Insurance. He usually divided his time by spending a half day in each office every work day. The Insurance Commissioner's graciousness enabled Mr. Cannady to devote this much time to his Board responsibilities. He was normally a daily commuter from his home in Oxford, NC.

From the enactment of the licensing law throughout this 30 year era, the Board and staff worked closely with the electrical inspectors in their mutual efforts to provide safe electrical installations in our State. This involved working closely with inspectors in and resolving complaints against both non-licensees and licensees with some cases culminating in court action. The Board's field representative played a major role in these cooperative efforts.

Mr. Cannady's death in 1967 brought a closure to "The First 30 Years" era, but his historic pioneering of the North Carolina electrical contracting laws and his influence continues to be recognized, utilized and appreciated today and we will always remember the first 30 year period respectfully as the Nathaniel Ellis Cannady Sr. Era.

All of the above information is presented as the writer's recollections of Board history as was revealed to him through many personal conversations he had with Mr. Cannady from the late 1940s until Mr. Cannady's death; from personal knowledge, and from research of the Board's records.

At the beginning of this article, it was noted that in addition to the first thirty years era, there were two other major eras so far in the life of the licensing law; namely, the "Rewrite and Re-enactment" era of the licensing laws, and the "Era of Survival – The Sunset Era". These two eras will be explored in the Board's next newsletter; until then, "Happy Trails".

Respectfully,
Curtis Kennedy

Electrical Contractors Newsletter

This newsletter is published semi-annually as a service to electrical contractor licensees and others in the electrical industry. Suggestions for articles of interest for publication in this newsletter are welcome.

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APPOINTMENT OF NEW BOARD MEMBER

Governor Michael F. Easley has appointed Gray Bryant to the State Board of Examiners of Electrical Contractors replacing Roy A. Wilson.

Mr. Bryant is the Governor's Electrical Inspector appointee pursuant to NCGS 87-39. Mr. Bryant previously served on the Board from 1995-2003 and was Board Chairman from 2002-2003.

Mr. Bryant is Director of Inspections for Surry County. He holds Standard Level III Inspector Certification and qualifications for a North Carolina electrical contracting license in the unlimited classification. He is a member of the NC Ellis Cannady Chapter, IAEI. Mr. Bryant is also involved in numerous state and local associations and organizations.

Mr. Bryant and his wife Frances live in Mt. Airy, NC.

2006-2007 CONTINUING EDUCATION SPONSORS/INSTRUCTORS

Parties interested in applying to the Board for approval as a 2006-2007 Continuing Education Sponsor and/or Instructor should contact the Board's office for the appropriate application packet. All applications and other required information are due no later than March 1, 2006.

Sponsors and instructors currently approved for this year will be mailed the 2006-2007 application packet and do not need to contact us unless they have not received the 2006-2007 application packet by January 15, 2006. The application will also be on the Boards web site at ncbeec.org under Continuing Education.

2005 ELECTRICAL APPRENTICE CONTEST WINNER

Aubrey Houston, Intrastate Electric Co., Inc., Jacksonville, NC won first place in the 2005 North Carolina Electrical Apprentice Contest held October 19, 2005, at the NC State Fair, Raleigh, NC.

Congratulations Aubrey!!!

IN MEMORY

It is with deep sorrow that we inform you of the passing of former Board member Edward H. Marrow, Jr. on December 2, 2005. Mr. Marrow, of Tarboro, served on the Board from 1986 to 1993.

DATES AHEAD

2006 NC ELECTRICAL INSTITUTE

The NC Electrical Institute will be held at the North Raleigh Hilton, Raleigh, NC, April 4-5, 2006. For detailed information, contact Ron Chilton, Telephone 919/661-5880 ext. 235.

2006 CECA ANNUAL CONVENTION

The Carolinas Electrical Contractors Association will hold its Annual Convention at the Hilton Resort, Hilton Head Island, SC, June 8-10, 2006. For detailed information, contact the CECA office, Telephone 704/365-4016.

2006 NCAEC ANNUAL CONVENTION & TRADESHOW

The NC Association of Electrical Contractors will hold its Annual Convention & Tradeshow at the Sheraton, Atlantic Beach, NC, July 20-22, 2006. For detailed information, contact the NCAEC office, Telephone 336/854-8354.

NEW FIELD REPRESENTATIVE/INVESTIGATOR EMPLOYED

The Board is pleased to announce the employment of Roy A. Wilson in the position of Field Representative/Investigator effective December 1, 2005. Mr. Wilson will be assigned to the Southeastern Region of the State and working from his home.

Mr. Wilson served on the Board as the Governor's electrical inspector appointee from December 2003 until his resignation to accept this position on the staff. Governor Michael F. Easley has appointed Gray Bryant to replace him on the Board.

Mr. Wilson is fully qualified for a North Carolina Electrical Contracting license in the Unlimited classification and he also holds Standard Level III Certification from the NC Code Officials Qualifications Board in Electrical, Building, Mechanical, Plumbing and Fire. .

Mr. Wilson is a lifelong resident of Sampson County with his electrical career starting at an early age in his father's electrical contracting business in Newton Grove. He was issued an electrical contracting license in 1977 and became an electrical inspector for Sampson County in 1979. Mr. Wilson worked with Cumberland County from 1983 to 1989 when he returned to Sampson County to become chief inspector. He has recently retired as the Building Codes Administrator for Sampson County.

Mr. Wilson is anxious to render the best possible service in his new duties with the Board and he, along with the Board and staff, solicit your continued cooperation and assistance as he takes on his new duties.

Please see another article in this Newsletter which contains details on our Field Staff and assigned areas.

KNOW YOUR FIELD REPRESENTATIVE / INVESTIGATOR

The Board currently employs four Field Representative/Investigators for the State of North Carolina responsible for performing administrative and investigative work. You are invited to contact your area representative for any assistance or services that we may provide.

NORTHEASTERN REGION

Jesse H. Skinner

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252-245-6240 (Mobile)
Email: skinner@ncbeec.org
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SOUTHEASTERN REGION

Roy A. Wilson

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CAMDEN
CARTERET
CHOWAN
CRAVEN
CURRITUCK
DARE
EDGECOMBE
FRANKLIN
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YANCEY

3rd ANNUAL CONTINUING EDUCATION INSTRUCTOR OF THE YEAR

Last year the Board presented Don Allen Hursey with the 2nd Annual Continuing Education Instructor of the Year Award. It's time to cast your vote for the 2005 recipient of the "Instructor of the Year" Award. With your votes we will select an instructor who is dedicated and highly skilled and inspires others to learn.

The Board would like for you to cast your vote for an instructor you feel should receive special recognition. If you have had an instructor who gave you valuable information on the NEC and quality time for your required continuing education please submit the instructor's name. Also, you can submit a note or letter on why you feel the instructor should receive this recognition. The instructor with the most votes will be recognized at the North Carolina Electrical Institute meeting being held April 4-5, 2006 in Raleigh, NC.

If you would like to participate, please detach and complete the nomination form below or notify us by email: aparris@ncbeec.org. If you use this form please cut on the dotted line and return it to the Board's office. The address is:

N. C. State Board of Examiners of Electrical Contractors
P. O. Box 18727
Raleigh, NC 27619

You must submit your vote to the Board's office by February 28, 2006.

Thank you for your participation.

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CONTINUING EDUCATION INSTRUCTOR OF THE YEAR

I would like to make the following nomination for the 2005 Continuing Education Instructor of the Year:

INSTRUCTOR NAME: _____

SPONSOR NAME: _____

NOMINATED BY: _____

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ANNUAL REPORT OF STATE BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS

FISCAL YEAR JULY 1, 2004 – JUNE 30, 2005

Number of persons who applied to Board for examination	<u>1,786</u>
Number of applications returned to sender because they were not duly filed	<u>323</u>
Number who were refused examination	<u>0</u>
Number who cancelled or withdrew application	<u>69</u>
Number who took examination	<u>1,394</u>
Number to whom initial licenses were issued (including reciprocity)	<u>510</u>
Number who applied for licenses by reciprocity or comity	<u>112</u>
Number who were granted licenses by reciprocity or comity	<u>112</u>
Number of licensees placed under probation	<u>3</u>
Number of licenses suspended or revoked	<u>5</u>
Number of licenses terminated for any reason other than failure to pay the required renewal fee (Deceased during 2004-2005 fiscal year)	<u>9</u>
TOTAL number of active licenses as of 6/30/2005	<u>14,147</u>
COMPLAINT REPORT JULY 1, 2004 – JUNE 30, 2005	
Complaints Received:	
Written	<u>201</u>
Telephone	<u>19</u>
In Person	<u>9</u>
Faxed	<u>7</u>
TOTAL	<u>236</u>
Complainant:	
Owner	<u>74</u>
General Public (Other than owner)	<u>28</u>
Inspector	<u>54</u>
Licensee	<u>27</u>
Board's Staff	<u>27</u>
Other	<u>26</u>
TOTAL	<u>236</u>
Complaints Registered Against:	
Licensee	<u>114</u>
Non-licensee	<u>122</u>
TOTAL	<u>236</u>
Nature of Complaints: (One complaint may be listed in more than one category)	
Violation of licensing law	<u>149</u>
Violation of Board's Rules & Regulations	<u>74</u>
Inspection - Permits	<u>26</u>
Financial disagreement	<u>12</u>
Contractual disagreement	<u>8</u>
Electrical code violation	<u>9</u>
Incomplete work	<u>30</u>
Other	<u>21</u>
STATUS OF COMPLAINTS RESOLVED: (One complaint may be listed in more than one category)	
Licensees placed on probation	<u>3</u>
License suspension or revocation	<u>5</u>
Reprimand (Only)	<u>6</u>
Warning (Licensees and Non-Licensees)	<u>94</u>
Civil penalty under G.S. 87-47 (a3) & reprimand/probation	<u>12</u>
Court litigation (Non-Licensees)	<u>9</u>
Disciplinary Hearings to determine charges against licensees	<u>16</u>
Complaints investigated and dismissed as unfounded or trivial	<u>43</u>
Complaints of non-licensed work investigated and dismissed as not violations	<u>19</u>
TOTAL RESOLVED	<u>218</u>
TOTAL PENDING	<u>18</u>
TOTAL COMPLAINTS	<u>236</u>

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

COURT CASES

CASE FILE NUMBER: #2004-67

NON-LICENSEE: Larry Faws

ADDRESS: 113 Ship Lane
Newport, NC 28570

VIOLATION: Engaging in the business of electrical contracting without being licensed to do so.

COURT ACTION: Civil Action instituted in Carteret County Superior Court resulting in entry of Court Order on August 11 2005, whereby Larry Faws is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.

EFFECTIVE DATE: August 16, 2005

CASE FILE NUMBER: #2004-79

NON-LICENSEE: Daniel Allen

ADDRESS: 1677 Lowell Bethesda Rd
Gastonia, NC 28053

VIOLATION: Engaging in the business of electrical contracting without being licensed to do so.

COURT ACTION: Civil Action instituted in Gaston County Superior Court resulting in entry of Court Order on August 11 2005, whereby Daniel Allen is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.

EFFECTIVE DATE: August 11, 2005

CASE FILE NUMBER: #2005-50

NON-LICENSEE: John Henry Oakley

ADDRESS: 2112 Zephyr Road
Dobson, NC 27017

VIOLATION: Engaging in the business of electrical contracting without being licensed to do so.

COURT ACTION: Civil Action instituted in Surry County Superior Court resulting in entry of Court Order on September 19, 2005, whereby John Henry Oakley is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.

EFFECTIVE DATE: November 1, 2005

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD (CONT.)

NOTICE OF VIOLATION

CASE FILE NUMBER: 2005-118

LICENSEE: Rick Stone Electrical Services

ADDRESS: 5237 Banks Haven Court
Raleigh, NC 27603

LISTED QUALIFIED INDIVIDUAL: Richard Latham Stone

LICENSE NUMBER: 22125-SP-SFD

VIOLATION(S): Violation of North Carolina General Statutes 87-47 (a1)(3) and (7) in that the licensee:

- (1) Aided and abetted an unlicensed person, Charles Mason Daniel, to offer to engage and to engage in electrical contracting without license; and
- (2) Engaged in unethical conduct and deceit by engaging in electrical contracting at lots 2600 and 2598 Nashua Drive, Lake Royale, NC without being listed as Rick Stone Electrical Services on the electrical permits.

BOARD ACTION: The Board staff proposed the imposition of a reprimand and two (2) years probation, the conditions being no further violation of Article 4, Chapter 87 of the General Statutes or the rules of the Board and the following:

- (1) Written contracts for all electrical work over one hundred dollars (\$100.00) in value;
- (2) Obtain all required electrical permits prior to starting any electrical project;
- (3) Request and obtain a final approved electrical inspection within ten (10) days after completing electrical work or electrical projects;
- (4) Complete all electrical projects in a timely manner;
- (5) Keep an organized list of all employees;
- (6) Keep complete payroll records for all your employees;
- (7) Pay all required Federal and State Taxes for your employees and keep valid records of the transactions;
- (8) Keep the Board advised of current telephone numbers and mailing and locating address;
- (9) Have all records available for inspection during normal working hours by the Board and Board's Staff; and
- (10) Enroll in the Contractor Business class (Umpire Technologies Group, Inc., 919-624-3456, www.umpiretechnologiesgroup.com) approved by the State Board of Examiners of Electrical Contractors and present evidence to the Board of a passing grade in such course within 12 months.

There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: November 10, 2005

CASE FILE NUMBER: 2005-163

LICENSEE: Eggleston Electrical Service

ADDRESS: 241 Old City Lake Rd.
Roxboro, NC 27573

LISTED QUALIFIED INDIVIDUAL: Tommy Allen Eggleston

LICENSE NUMBER: #8774-L

VIOLATION(S): Violation of North Carolina General Statute 87-47 (a1) (7) in that the licensee:

- (1) Failed to complete electrical projects in a timely manner, which resulted in job delays for the owners and contractors on the jobsites. These job delays continued even after being contacted multiple times and given warnings by the owners and contractors.

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD (CONT.)

- (2) Delayed electrical project at 662 Elmore Rd. Leasburg, NC for at least three (3) to four (4) months before getting a final inspection.
- (3) Delayed electrical project on Sam Fulcher Road, Leasburg, NC for Mr. Roger Watkins for at least five (5) weeks on the rough-in wiring; and
- (4) Engaged in unethical conduct in the use of his license.

BOARD ACTION: The Board's staff proposed a reprimand and one (1) year probation. The specific conditions of probation are that:

- (1) No further violation of Article 4, Chapter 87 of the General Statutes or the rules of the Board occur, and
- (2) A written report must be sent to the Field Representative/Investigator each time his firm contracts to wire a new home or building and the report must be sent before beginning work on the electrical project. The report must describe the electrical project, and set out the location, inspection jurisdiction, and approximate project starting date.

There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: November 10, 2005

CASE FILE NUMBER: 2005-195

LICENSEE: Coastal Carolina Electrical Services

ADDRESS: 991 Lillington Lane
Rocky Point, NC 28457

LISTED QUALIFIED INDIVIDUAL: Robert Christopher Moore

LICENSE NUMBER: 26040-L

VIOLATION(S): Violation of North Carolina General Statute 87-47 (a1) (2), (3), and (7) in that the licensee:

- (1) Sold and transferred his license to individuals who were not bona fide employees of Coastal Carolina Electrical Services;
- (2) Aided or abetted unlicensed activity in that the persons working on Coastal Carolina Electrical Services jobs were not bona fide employees;
- (3) Failed to obtain required permits for the electrical contracting project located at 4717 Wedgefield Drive, Wilmington, NC;
- (4) Failed to properly supervise and direct employees; and
- (5) Installed electrical wiring with multiple violations of the State Electrical Code (2005 National Electrical Code)

BOARD ACTION: The Board staff proposed the imposition of a civil penalty in the amount of one thousand dollars (\$1,000.00) and two (2) years probation, with revocation of license and the right to serve as a listed qualified individual on any license issued by the Board upon failure to comply with the following conditions:

- (1) No further violation of the General Statutes or the Rules of the Board;
- (2) Obtain written and signed contracts for all electrical projects over one hundred dollars (\$100.00) in value;
- (3) Maintain an organized list of all electrical contracts;
- (4) Obtain all required electrical permits prior to starting any electrical projects;
- (5) Complete all electrical projects in a timely manner;
- (6) Obtain an approved final electrical inspection within ten days after completion of all electrical projects;
- (7) Properly supervise and direct all employees and projects;
- (8) Maintain a roster of names of all employees;
- (9) Maintain complete payroll records for all employees;
- (10) Pay all required Federal and State Taxes for employees and keep proper records of the transactions; and

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD (CONT.)

(11) Enroll in the Contractor Business Class (Umpire Technologies Group, Inc., 919-624-3456, www.umpiretechnologiesgroup.com) approved by the State Board of Examiners of Electrical Contractors and present evidence to the Board of a passing grade in the course by September 30, 2006.

There was no objection from the licensee and the Board concurred in the action of staff

EFFECTIVE DATE: November 10, 2005

ORDERS

CASE FILE NUMBER: 2005-38

LICENSEE: Worley & Company Inc.

ADDRESS: 47 Worley Road
Princeton NC 27569

LISTED QUALIFIED INDIVIDUAL: Michael Brian Worley

LICENSE NUMBER: 18087-L

VIOLATION(S): Violation of North Carolina General Statute 87-47 (a1) (6) and (7) in that:

Respondent undertook to perform electrical contracting work on December 16, 2004, on property known as Arthur's Pizzeria located at 1415 West Cumberland St., Dunn, North Carolina, belonging to Arthur Papadopoulos. In the course of work on the project Respondent:

- (a) Failed to use the name in which license is listed;
- (b) Engaged in malpractice, unethical conduct and deceit in the use of license;
- (c) Failed to complete the project on a timely basis;
- (d) Abandoned the project before completion leaving the project with numerous code violations requiring the property owner to engage another contractor to complete the project;
- (e) Failed to install wiring in accordance with the North Carolina State Electrical Code, NFPA 70 National Electrical Code;
- (f) Failed to direct and supervise employees on the electrical contracting project;
- (g) Failed to follow through on an agreement with the customer to resolve the matter.

BOARD ACTION: After a hearing before the Board Disciplinary Committee, the Committee recommended:

1. That the license of Respondent firm and the status of Respondent, Michael Brian Worley, as a qualifying individual be revoked, effective 30 days after the date of the Final Order of the Board.
2. That no request for reinstatement of license of Respondent be considered or approved without proof of the repayment of \$2,600.00 to the property owner together with such other conditions as the Board may order at that time.

There was no objection from Mr. Michael Brian Worley and the Recommended Order was approved by the Board as a Final Order on September 15, 2005.

EFFECTIVE DATE: October 15, 2005

CASE FILE NUMBER: 2005-64

LICENSEE: H.R. and Company Electrical Contractor Inc.

ADDRESS: 2266 Rodgers School Road
Williamston, NC 27892

LISTED QUALIFIED INDIVIDUAL: Horace Lavon Rodgers

LICENSE NUMBER: 16095-U

VIOLATION(S): Violation of North Carolina General Statute 87-47 (a1) (6) and (7) in that:

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD (CONT.)

Respondent undertook to perform electrical contracting work on April 30, 2004, on property located at 1640 Lum Brown Road, Williamston, North Carolina belonging to Keisha Manson Veale. In the course of work on the project Respondent:

- (a) Failed to complete the project on a timely basis;
- (b) Failed to obtain required permits and inspections in violation of the North Carolina State Building Code;
- (c) Failed to install wiring in accordance with the North Carolina State Electrical Code, NFPA 70 National Electrical Code;
- (d) Failed to direct and supervise employees on the electrical contracting project; and,
- (e) Operated in a name other than the name in which his business was listed.

BOARD ACTION: After a hearing before the Board Disciplinary Committee, the Committee recommended:

1. That the license of Respondent firm and the status of Respondent, Horace Lavon Rodgers, as a qualifying individual be suspended for a period of six (6) months, effective 30 days after final action by the Board.
2. That after completion of the period of suspension, the Respondent's license to engage in business as an electrical contractor be placed on probation for a period of two (2) years.
3. That during the period of probation, Respondent comply with the following conditions of probation:
 - (a) Have written contracts or proposals signed by the licensee and customer for each installation for which licensee is responsible with a contract amount in excess of \$100.00;
 - (b) Obtain permits as required for each contract prior to commencement of work, retain a copy of the permit in the job file for each particular installation and assure that a final inspection has been performed by the Local Code Enforcement Official for each installation;
 - (c) Maintain job files or other written records of contracts made and installations performed;
 - (d) Within twelve (12) months of the date of the Final Order issued by the Board in this matter, take and pass a Contractor Business course approved by the Board;
 - (e) Maintain records detailing and documenting his compliance with the provisions of this probation order which records shall be available for inspection at any time during normal business hours upon request of the staff of the Board; and
 - (f) Commit no violation of Article 4, Chapter 87 of the General Statutes or the Rules promulgated by the Board.

There was no objection from Mr. Horace Lavon Rodgers and the Recommended Order was approved by the Board as a Final Order on September 15, 2005.

EFFECTIVE DATE: October 15, 2005

CASE FILE NUMBER: 2005-83

LICENSEE: Stanley J. Kwake

NAT PRO Electrical Seminars Inc.

ADDRESS: PO Box 1253

Lynnwood WA 98046

LISTED QUALIFIED INDIVIDUAL: Stanley J. Kwake

LICENSE NUMBER: 15880-L

VIOLATION(S): Violation of North Carolina General Statute 87-47 (a1) (6) and (7) in that:

1. The Respondent held license 15880-L and qualification as an unlimited qualified individual. In addition, Respondent has heretofore been approved to offer a continuing education course entitled 2002 NEC Changes and Estimating Made Simple. Approval was conditioned on compliance with Board continuing education requirements.

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD (CONT.)

2. At the time of this investigation, all continuing education self-study courses approved pursuant to 21NCAC18B.1105 required inclusion of a written examination with a minimum of 25 questions and a minimum passing grade of 70; the self-study course as offered by Respondent failed to comply with this requirement;
3. The coursework provided by Respondent was not offered in a fashion consistent with the application;
4. Respondent utilized locations in both Washington and Arizona and failed to notify the Board in writing within 30 days of change in location, mailing address, or telephone numbers;
5. The Respondent produced advertisements or marketing materials relevant to home study courses without including in the material the statement that the course meets the requirements of the Board of Examiners of Electrical Contractors, as required by 21NCAC18B.1107;
6. The Respondent, upon receipt of the fee for registration in a course, mailed the questions, answers, and certificate of completion to students simultaneously.

BOARD ACTION: After initial consideration by the Board Disciplinary Committee, the Respondent requested a formal hearing before the Board. At the commencement of the hearing, counsel announced to the Board that as a result of discussions at the prehearing conference as to the evidence and the Rules of the Board, the parties had entered into an agreement upon the terms of an Order and submitted the Order to the Board for approval or rejection.

The Board approved the Order as follows:

1. Respondents's license to engage in the business as an electrical contractor and the status of Respondent, Stanley J. Kwake d/b/a NAT PRO Electrical Seminars Inc. as a Qualified Individual is suspended for a period of one (1) year.
2. The status of Respondent and his firm, NAT PRO Electrical Seminars, Inc., as a continuing education correspondence course provider and/or correspondence course instructor in and for the state of North Carolina is permanently terminated.

EFFECTIVE DATE: September 15, 2005

CONSENT AGREEMENTS

Criminal background checks are randomly conducted on examination applicants at the time examination applications are received and on listed qualified individuals at the time of issuance of a license and license renewal. Persons with criminal convictions are evaluated to determine if the matter is under the purview of the Board and may be resolved by consent agreement signed by the individual stating that they will be in full compliance of the court imposed sanctions and sanctions of the Board. The individual further acknowledges that failure to comply with the court or Board sanctions could lead to formal proceedings by the Board and more serious sanctions against the individual.

<u>Name</u>	<u>City</u>	<u>County</u>	<u>License</u>
<i>Ashley H. Talsky</i> <i>Ashley Mobile Electric</i> <i>Renewal Consent Agreement</i> Probation concurrent with court imposed probation terminating April 25, 2007.	Arden	Buncombe	22856-L

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD (CONT.)

LICENSEE – PERMIT WARNING AFFIDAVITS & VERBAL WARNINGS

Staff obtains by consent a permit warning affidavit or issues a verbal warning in connection with permit and inspection requirements or other issues under the purview of the Board. The North Carolina Electrical Contracting Licensing Laws and Rules of the Board have been explained to each licensee representative and/or listed qualified individual below. Staff obtained by consent a permit warning affidavit signed by the licensee representative and/ or listed qualified individual or verbal assurance from the licensee representative and/or listed qualified individual stating that they will be in full compliance with the laws and rules applicable to electrical contracting. Licensee representative and/or listed qualified individual also acknowledges that further violations of this nature, if supported by evidence, could lead to formal proceedings against the licensee and listed qualified individual by the Board and to more serious sanctions against the license of the firm.

<i>Licensee</i>	<i>Qualified Individual</i>	<i>County</i>	<i>File Number</i>
All Seasons Cooling Heating Plumbing & Electrical	Ronald Bray Whitley	Johnston	2005-75
All Things Electric Inc.	Nathan Steve Hussman	Mecklenburg	2005-137
Lawrence Electric Contractors, Inc.	Eric Andrew Wessman	Mecklenburg	2005-203
Piedmont Energy Services LLC	Jason Thomas Holt	Orange	2005-101
Sneed Electrical & Appliance Service	Michael Albert Sneed	Wake	2005-112
Thorpe's Electrical Services & Supply of North Carolina Inc.	Roscoe Thorpe, Jr.	Mecklenburg	2005-142
W.W. Weaver Electric	Walter Wesley Weaver	Carteret	2005-146

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD (CONT.)

NON-LICENSEE – WARNING AFFIDAVITS & VERBAL WARNINGS

Staff obtains by consent a warning affidavit or issues a verbal warning in connection with unlicensed individuals offering to engage or engaging in electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina. The North Carolina Electrical Contracting Licensing Laws, specifically General Statutes 87-43, 87-43.1 and 87-48 has been explained to each individual listed below. Staff obtained by consent a sworn warning affidavit signed by the unlicensed individual or verbal assurance from the unlicensed individual stating that they will refrain from engaging or offering to engage in any electrical contracting in the State of North Carolina until such time they have qualified and obtained an electrical contracting license from the Board and warning of possible Court action in the event of further violations.

<u>Name</u>	<u>City</u>	<u>County</u>	<u>File Number</u>
Aaron Gerard Walker	Durham	Durham	2005-145
Bobby Baines	Spring Hope	Nash	2005-167
Charles Anthony Walker	Charlotte	Mecklenburg	2005-197
Charles Blevins	Weaverville	Buncombe	2005-18
Charles Mason Daniel	Raleigh	Wake	2005-184
Chris A. Vice	Boomer	Wilkes	2005-55
David Duffek	Charlotte	Mecklenburg	2005-63
David Forbes Sample	Hampstead	Pender	2005-119
Donald Earl Scott	Bladenboro	Bladen	2005-153
Donald Leroy Baker	Franklinville	Randolph	2005-181
Donald Lewis Caulberg	New Bern	Craven	2005-198
Donald Wayne Marshall	Mount Airy	Surry	2005-178
Douglas James Grotschel	Reidsville	Rockingham	2005-129
Dwayne Maxwell	Ayden	Pitt	2005-200
Edward Arthur Durant	Charlotte	Mecklenburg	2005-186
Edward Franklin Fields	Bladenboro	Bladen	2005-156
Ferrell Leighton Blount IV	Greenville	Pitt	2005-189
Gregory Allen Cavanaugh	Holly Ridge	Onslow	2005-2004
Gregory Michael Freeman	Reidsville	Rockingham	2005-98
Hubert King	Fuquay-Varina	Wake	2003-128
Jason Tyner	Fayetteville	Cumberland	2005-173
Jean Gardner Kibbe	Wilson	Wilson	2005-133
Joe Bender	Hendersonville	Henderson	2005-128
Junius Brandt	Charlotte	Mecklenburg	2005-29
Keenan Brien Lawrence	Raleigh	Wake	2005-154
Kenneth Lee Head	Mocksville	Davie	2005-192
Kenneth Michael Mainer	Concord	Cabarrus	2005-116
Larry W. Mahan, Jr.	Thomasville	Davidson	2005-172
Lawrence Gant	Asheville	Buncombe	2005-103
Malik Rahim El	Charlotte	Mecklenburg	2005-214
Mark Stephen Kavach	Franklin	Macon	2005-190
Michael Todd Adcock	Oxford	Granville	2005-202
Nick Williams	Ellijay, GA	Out of State	2004-88

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD (CONT.)**NON-LICENSEE – WARNING AFFIDAVITS & VERBAL WARNINGS (cont.)**

<u>Name</u>	<u>City</u>	<u>County</u>	<u>File Number</u>
Noel Dean Kinney	Asheboro	Randolph	2005-122
Randy Douglas Ford	Winston-Salem	Forsyth	2005-175
Richard Edward Goddard	Greenville	Pitt	2005-183
Ron Edward Watkins	Weaverville	Buncombe	2005-126
Tadd Ewing	Rocky Mount	Nash	2005-165
Tae Hak Kim	Fayetteville	Cumberland	2005-115
Terry Lee Whitehead	Tarboro	Edgecombe	2005-135
Thomas Vernon Dean	Southport	Brunswick	2005-160
Timothy Hoke Pate	Bladenboro	Bladen	2005-155
Verlin A. Blum	Jacksonville	Onslow	2005-159
William Christopher Marisette	Holly Springs	Wake	2005-174
Willie Lee Houston	Charlotte	Mecklenburg	2005-147

**CUT HERE****ORDER FORM
2005 NATIONAL ELECTRICAL CODE BOOKS**

THE 2005 NEC BOOKS (SOFT-COVER) ARE AVAILABLE FOR PURCHASE FROM THE BOARD'S OFFICE. PLEASE MAKE CHECK OR MONEY ORDER PAYABLE TO: STATE BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS. **MAIL TO:** P. O. BOX 18727, RALEIGH, NC 27619-8727. THE BOARD'S PRICE SCHEDULE IS AS FOLLOWS:

QUANTITY	PER COPY
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20 OR MORE	\$48.00
Licensee Special-All Books	\$48.00

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